

**STATE OF NEVADA  
BOARD OF EXAMINERS  
FOR LONG TERM CARE ADMINISTRATORS  
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Las Vegas, Nevada 89108  
E-mail: Beltca@govmail.state.nv.us**

**MINUTES  
BOARD MEETING  
AUGUST 19, 2002  
WASHOE VILLAGE CARE CENTER  
10101 DOUBLE "R" BOULEVARD  
RENO, NEVADA 89511**

1. MARGARET MCCONNELL, CHAIRPERSON, CALLED THE MEETING TO ORDER AT 10:00 AM.
2. TERRY PEDROTTI, EXECUTIVE SECRETARY, CALLED THE ROLL. ALL MEMBERS WERE PRESENT AND A QUORUM WAS MET.

**PRESENT:**

MARGARET MCCONNELL, CHAIRPERSON  
MARY ELLEN WILKINSON, VICE CHAIRPERSON  
DONNA J. ROSE, SECRETARY/TREASURER  
ARNOLD H. GREENHOUSE, MD  
MARY LIVERATTI  
DOUGLAS R. SINCLAIR

**STAFF:**

CHARLOTTE M. BIBLE, ASST. CHIEF DEPUTY ATTORNEY GENERAL  
TERRY PEDROTTI, EXECUTIVE SECRETARY

**GUESTS:**

CHARLES PERRY, NHCA  
WENDY SIMONS, ADMINISTRATOR  
DAVID AYOOB, BEEHIVE HOMES  
GILDA JOHNSTON, DAS  
DEBORAH HUMPHREYS, BLC

MS. MCCONNELL WELCOMED THE GUESTS AND STATED AGENDA ITEMS WOULD BE TAKEN OUT OF ORDER, IN AN EFFORT TO CONDUCT BUSINESS IN AN EFFICIENT MANNER, PROCEEDING TO:

3. \*\* SECRETARY/TREASURER'S REPORTS BY DONNA ROSE:

A. THE MINUTES OF THE MEETING HELD ON MAY 14, 2002 HAD BEEN DISTRIBUTED TO THE BOARD MEMBERS EARLIER FOR THEIR REVIEW. MS. ROSE ASKED IF THERE WERE ANY CORRECTIONS, ADDITIONS OR DELETIONS. THERE WERE NONE. MS. ROSE REQUESTED A MOTION. ARNOLD GREENHOUSE MOVED TO ACCEPT THE MINUTES AS WRITTEN. THE MOTION WAS SECONDED BY DOUGLAS SINCLAIR AND APPROVED UNANIMOUSLY.

- B. FINANCIAL REPORTS:

(1) ANNUAL AUDIT FOR FISCAL 2001 – 2002 WAS NOT COMPLETED, BUT THE 4<sup>TH</sup> QUARTER REPORT WAS PRESENTED;

(2) PROFIT & LOSS STATEMENT AS OF JULY 31, 2002;

(3) NET WORTH REPORT AS OF JULY 31, 2002;

(4) PROJECTED BUDGET FOR FISCAL 2002 – 2003.

DONNA ROSE DEFERRED DISCUSSION OF THE ITEMS LISTED ABOVE TO TERRY PEDROTTI, AS MS. PEDROTTI IS MORE INTIMATELY INVOLVED IN THE DAILY FINANCIAL TRANSACTIONS AND RECORD KEEPING.

MS. PEDROTTI EXPLAINED THAT THE FINANCIAL REPORTS REFLECT THAT THE AGENCY IS IN A HEALTHY FINANCIAL SITUATION AT THIS TIME, BUT BECAUSE OF THE CYCLICAL RENEWAL VARIATIONS, THE COMING FISCAL YEAR WILL PROBABLY RESULT IN A SHORTFALL OF INCOME. HOWEVER, IN SPITE OF THE PROJECTED "SHORTFALL", THE AGENCY WILL STILL REMAIN IN A HEALTHY FINANCIAL CONDITION.

DONNA ROSE REQUESTED A MOTION. ARNOLD GREENHOUSE MOVED TO ACCEPT THE FINANCIAL REPORTS AS REPRESENTED. DOUGLAS SINCLAIR SECONDED THE MOTION, AND IT WAS CARRIED UNANIMOUSLY.

MARGARET MCCONNELL STATED THAT THE NEXT ITEM ON THE AGENDA TO BE ADDRESSED WOULD BE UNDER "UNFINISHED BUSINESS", NUMBER:

5.\*\* A. RFA APPLICATION IN QUESTION – DAVID AYOOB:

MR. AYOOB HAD BEEN REQUESTED TO RETURN WITH ADDITIONAL DOCUMENTS FOR CONSIDERATION OF HIS REQUEST FOR LICENSURE.

MARY ELLEN WILKINSON ADMINISTERED THE OATH. CHARLOTTE BIBLE CONDUCTED THIS PORTION OF THE MEETING.

MS. BIBLE ASKED MR. AYOOB IF HE HAD BROUGHT ANY OF THE ADDITIONAL DOCUMENTS THAT THE BOARD HAD REQUESTED, NAMELY: POLICE REPORT AND REPORT FROM HIS COUNSELOR AT THE ANGER MANAGEMENT COURSE. MR. AYOOB STATED THAT HE HAD NOT BROUGHT ANY FURTHER DOCUMENTATION OF THE LEGAL INCIDENT BECAUSE HE FELT THAT THE BOARD SHOULD RECOGNIZE HIS CONTRIBUTIONS TO THE CITY OF LOVELOCK AND HIS REPUTATION SINCE THE LEGAL EPISODE OCCURRED.

MS. BIBLE STATED THAT IT WAS MR. AYOOB'S RESPONSIBILITY TO RESPOND TO THE BOARD'S REQUEST AND SHOULD PROVIDE, MINIMALLY, THE REPORT GIVEN TO THE COURTS BY HIS COUNSELOR AT THE ANGER MANAGEMENT COURSE. MS. BIBLE EXPLAINED THAT AN ADMINISTRATOR IN A HOME FOR THE ELDERLY REQUIRES UNLIMITED PATIENCE, AND THE BOARD WAS CONCERNED ABOUT WHETHER HIS LEVEL OF ANGER UNDER VEXING SITUATIONS COULD BE CONTROLLED. MR. AYOOB EXCUSED HIMSELF AND SAID HE WOULD ARRANGE TO HAVE THE REPORT FAXED TO THE MEETING LOCATION. FOR REVIEW BY THE BOARD.

MS. MCCONNELL REQUESTED A MOTION. MARY LIVERATTI MADE A MOTION TO CONTINUE THIS MATTER UNTIL A LATER TIME DURING THE MEETING. MARY ELLEN WILKINSON SECONDED THE MOTION AND IT WAS CARRIED UNANIMOUSLY.

THE NEXT ITEMS ADDRESSED WERE:

3. ADMINISTRATIVE REPORT:

A. LICENSEE ACTIVITY REPORT:

TERRY PEDROTTI EXPLAINED THE NEW ANNUAL LICENSEE ACTIVITY REPORT, STATING THAT IT HAD BEEN DEVELOPED BECAUSE OF REQUESTS FROM NAB AND OTHER ORGANIZATIONS AND LATER FROM THE LEGISLATIVE COUNSEL BUREAU ON THE NUMBERS OF LICENSES ISSUED, EXPIRED LICENSES, APPLICATION REQUESTS, INACTIVE LICENSES, REVOKED OR SURRENDERED LICENSES AND RENEWED LICENSES. THE REPORT IS UPDATED DAILY AS THE VARIOUS EVENTS OCCUR, THUS PROVIDING A DAILY RECORD OF LICENSEE ACTIVITY.

MARY ELLEN WILKINSON SUGGESTED THAT PERHAPS THE SUMMARY SHEET ACCOMPANYING THE REPORT COULD BE PROVIDED QUARTERLY TO KEEP THE BOARD ADVISED OF LICENSEE ACTIVITY. MS. PEDROTTI AGREED THAT IT COULD AND WOULD BE AVAILABLE EACH QUARTER, AS WELL AS ANNUALLY.

4.\*\* A. NFA LICENSES ISSUED:

- (1) STILLWELL-DANIELS, JAYNE
- (2) WALKER, DAVID R.

ALL REQUIREMENTS HAD BEEN MET. ARNOLD GREENHOUSE MADE A MOTION TO APPROVE LICENSURE. DOUGLAS SINCLAIR SECONDED THE MOTION, AND IT WAS CARRIED UNANIMOUSLY.

B. RFA LICENSES ISSUED:

- (1) BOWMAN, BRAD
- (2) ELEY, VIRGINIA L.
- (3) EMBESTRO, MARIA R.
- (4) GARCIA, GRACE G.
- (5) HALLEY, DARYL B.
- (6) HAMMOND, MISTY
- (7) HUNDLEY, MARIA M.
- (8) JARANILLA, GLORIA
- (9) KOETSIER, STEPHEN J.
- (10) KORIN, MICHAEL D.
- (11) KRAINTZ, PATRICIA
- (12) LADAGA, MILDRED B.
- (13) MARTINEZ, THALIA
- (14) MOTT, DIANA M.
- (15) PACIELLO, NICHOLAS G.
- (16) PAGALING, DELIA C.
- (17) RYLE, SHANNON
- (18) SMITH HENEDINE
- (19) ULRICH, CHRISTI
- (20) WALKER, DAVID R.

ALL REQUIREMENTS HAD BEEN MET. DOUGLAS SINCLAIR MOVED TO ACCEPT LICENSURE OF THE ABOVE LISTED APPLICANTS. ARNOLD GREENHOUSE SECONDED THE MOTION, AND IT WAS CARRIED UNANIMOUSLY.

C. INACTIVE REQUESTS:

- (1) JURBALA, THOMAS, RFA
- (2) KOLESAR, ANN, RFA
- (3) LOHMANN, LINDA, RFA

ALL CONDITIONS AND REQUIREMENTS WERE MET. DOUGLAS SINCLAIR MADE A MOTION TO ACCEPT THE INACTIVE REQUESTS OF THE LICENSEES. ARNOLD GREENHOUSE SECONDED THE MOTION, AND THE MOTION WAS CARRIED UNANIMOUSLY.

5.\*\* A. BOARD REPLACEMENT – MARY LIVERATTI:

MARY LIVERATTI EXPLAINED THAT SHE HAD TALKED WITH SEVERAL PEOPLE ABOUT BECOMING BOARD MEMBERS. THE TWO PEOPLE WHO AGREED ARE HARRY CLEMENS AND BONNIE BRYAN. MS. LIVERATTI FEELS THAT BOTH THE INDIVIDUALS WOULD BE EXCELLENT BOARD MEMBERS, AS THEY ARE COMMITTED THE WELFARE OF THE ELDERLY. SHE WILL SEND THE BACKGROUND INFORMATION TO THE BOARD OFFICE. MS. PEDROTTI WILL SUBMIT THE INFORMATION TO THE GOVERNOR'S OFFICE FOR CONSIDERATION.

B. WEBSITE UPDATE – TERRY PEDROTTI

MS. PEDROTTI EXPLAINED THAT THE ONLY NEW DEVELOPMENT WAS THE EXISTENCE OF THE AGENCY'S WEBSITE UNDER THE DOMAIN NAME OF: BELTCA.NEVADA.GOV. SINCE THE GOVERNOR HAD REQUESTED THAT ALL STATE AGENCIES CONFORM TO A GIVEN PATTERN BY JULY 1, 2002, THE INFORMATION TECHNOLOGY DIVISION IS SOMEWHAT BEHIND IN IMPLEMENTING ALL OF THE AMENITIES. HOWEVER, THIS BOARD'S PROJECTED COSTS FOR THIS SERVICE WILL BE APPROXIMATELY \$1,000.00 PER YEAR, ACCORDING TO AN ACCEPTED ESTIMATE FROM THE DEPARTMENT OF INFORMATION TECHNOLOGY (DOIT). MORE INFORMATION, AS IT IS PROVIDED, WILL BE PRESENTED AT THE NEXT BOARD MEETING.

THE BOARD MEMBERS ALSO REQUESTED THAT SOME OF THE TELEPHONE NUMBERS, FAX NUMBERS, E-MAIL ADDRESSES BE CHANGED ON THE BOARD MEMBER LIST AS IT APPEARS ON THE WEBSITE IN ORDER TO AVOID UNNECESSARY COMMUNICATION. THE BOARD MEMBERS WILL INDICATE THESE CHANGES TO TERRY PEDROTTI.

C. PROCEDURES REGARDING REVIEW OF CEU PRESENTATIONS FOR APPROVAL AND CREDENTIALS OF FACULTY - ARNOLD GREENHOUSE:

DR. GREENHOUSE REQUESTED THAT THIS ITEM BE CARRIED OVER TO THE NEXT MEETING, AS HE WAS UNABLE TO ADDRESS IT BECAUSE OF PERSONAL COMMITMENTS.

6.\*\* NEW BUSINESS:

A. PROPOSED AMENDMENTS TO NRS 200.5002(2) AND NRS 41.1395(4b): "TO MORE EFFECTIVELY PROTECT NEVADA'S SENIOR POPULATION FROM FINANCIAL EXPLOITATION" – COLIN HAYNES:

MARGARET MCCONNELL EXPLAINED THAT COLIN HAYNES, ELDER ABUSE AND NEGLECT DIVISION OF THE LAS VEGAS METROPOLITAN POLICE, HAS RECOMMENDED THE CHANGES FOR THE PURPOSE OF BETTER PROTECTING THE ELDERLY FROM FAMILIAL EXPLOITATION. AT PRESENT, THE LAW DOES NOT SPECIFICALLY ADDRESS THIS ACTION. HIS PROPOSAL WAS DISTRIBUTED TO THE BOARD MEMBERS FOR REVIEW PRIOR TO GOING ON RECORD TO SUPPORT THE CHANGES.

A DISCUSSION FOLLOWED IN WHICH THE BOARD MEMBERS REQUESTED A MORE DETAILED EXPLANATION OF THE PROPOSED LANGUAGE. MARY LIVERATTI MADE A MOTION TO INVITE COLIN HAYNES TO THE NEXT MEETING WHEN HE COULD PROVIDE A MORE DETAILED EXPLANATION IN ORDER FOR THE BOARD TO DECIDE WHETHER OR NOT TO SUPPORT THE AMENDMENT. THE MOTION WAS SECONDED BY ARNOLD GREENHOUSE AND CARRIED UNANIMOUSLY. TERRY PEDROTTI WAS ASKED TO PUT THIS ITEM ON THE NEXT MEETING'S AGENDA WITH A REQUEST TO INVITE MR. HAYNES TO ATTEND.

B. CONTRACTS FOR OUTSIDE INVESTIGATORS - TERRY PEDROTTI/MARGARET MCCONNELL:

MS. MCCONNELL EXPLAINED THAT WITH THE ANTICIPATED INCREASE IN COMPLAINTS REGARDING NFA'S AND RFA'S, IT MAY BECOME NECESSARY TO HAVE INDIVIDUALS FROM OUTSIDE THE BOARD DO INVESTIGATIONS. THIS, ACCORDING TO LEGAL COUNSEL, WOULD ENTAIL THE USE OF INDIVIDUAL CONTRACTOR CONTRACTS WITH THE STATE. A COPY OF THE FORM WAS DISTRIBUTED TO THE BOARD MEMBERS. THE CONTRACT MUST BE SUBMITTED TO BOARD OF EXAMINERS FOR APPROVAL WHEN COMPLETED BY THE INDIVIDUAL.

CHARLOTTE BIBLE EXPLAINED THE POTENTIAL LIABILITY PROBLEMS THAT COULD OCCUR IF USING SOMEONE OTHER THAN A BOARD MEMBER AS AN INVESTIGATOR, WITHOUT A CONTRACT.

MS. BIBLE ALSO EXPLAINED THERE ARE SEVERAL OTHER PROFESSIONAL ENTITIES WHO MIGHT BE ABLE TO PROVIDE INVESTIGATORS.

A DISCUSSION FOLLOWED IN WHICH IT WAS DETERMINED THAT UNLESS THE INVESTIGATOR IS WELL-VERSED IN THE HEALTH CARE INDUSTRY, HE MIGHT NOT BE AS EFFECTIVE AS HE SHOULD BE.

CHARLOTTE BIBLE WILL DO SOME RESEARCH ON THE SUBJECT AND TERRY PEDROTTI WAS ASKED TO CHECK WITH OTHER BOARDS TO LEARN HOW THEY OBTAIN THEIR INVESTIGATORS, AND WHAT THEY PAY THEIR INVESTIGATORS.

MARGARET MCCONNELL STATED THAT THERE IS NO URGENCY IN MAKING A DECISION AT THIS POINT, BUT IT IS SOMETHING TO CONSIDER IF THE NEED SHOULD ARISE. THIS SUBJECT WAS TABLED TO THE NEXT MEETING, PENDING FURTHER INFORMATION.

5.\*\* A. DAVID AYOOB

MR. AYOOB RETURNED TO THE MEETING WITH FAXED COPIES OF THE COURT REPORTS FROM HIS ANGER MANAGEMENT COUNSELOR. CHARLOTTE BIBLE RECEIVED THE REPORTS AND REVIEWED THEM AND QUOTED THAT THE REPORTS GENERALLY STATED MR. AYOOB IS CONSCIENTIOUS, RESPONSIBLE AND MOTIVATED TO CHANGE HIS BEHAVIOR. MR. AYOOB ATTENDED SEVERAL SESSIONS FROM JULY 1996 TO JULY 1997 BI-MONTHLY OR EVERY 3 WEEKS IN WHICH HE DEMONSTRATED RESPONSIBLE BEHAVIOR.

ARNOLD GREENHOUSE MADE A MOTION TO GRANT MR. AYOOB A RESIDENTIAL FACILITY ADMINISTRATOR'S LICENSE. DOUGLAS SINCLAIR SECONDED THE MOTION AND THE BOARD MEMBERS UNANIMOUSLY APPROVED.

6.\*\* C. LEGAL OPTIONS RE LICENSEES WITH EXPIRED LICENSES – MARGARET MCCONNELL

MS. MCCONNELL EXPLAINED THAT RECENTLY SOME SERIOUS COMPLAINTS HAD BEEN RAISED AGAINST LICENSEES WHOSE LICENSES HAD EXPIRED, AND THERE WERE SOME CONCERNS ABOUT THE INDIVIDUALS LEAVING THE STATE AND PRACTICING IN ANOTHER STATE. HER CONCERNS ARE THAT THIS BOARD HAS NO JURISDICTION OVER A LICENSEE WHOSE LICENSE HAS EXPIRED. IS THERE ANYTHING THAT CAN BE DONE ABOUT REPORTING THE INCIDENTS TO THE NATIONAL HEALTH INTEGRITY PROTECTION DATA BANK (HIPDB) TO PROTECT THE PUBLIC?

THE LAS VEGAS METROPOLITAN POLICE DEPARTMENT IS NOW WORKING WITH THE ATTORNEY GENERAL'S OFFICE TO REPORT SUCH INCIDENTS. IT IS HOPED THAT SOMETHING SIMILAR CAN BE IMPLEMENTED IN NORTHERN NEVADA FOR THE SAME PURPOSES.

CHARLOTTE BIBLE STATED THAT IF THE BOARD BECOMES AWARE OF A COMPLAINT AGAINST A LICENSEE WHOSE LICENSE IS DUE TO EXPIRE IN THE NEAR FUTURE; IT SHOULD BE BROUGHT TO HER ATTENTION TO SEE WHAT OPTIONS ARE AVAILABLE.

THE QUESTION WAS RAISED THAT IF A CRIMINAL INVESTIGATION IS ONGOING BY THE POLICE DEPARTMENT, WHAT ACTION CAN THE BOARD TAKE? CHARLOTTE BIBLE STATED THAT IT IS BEST TO ALLOW THE POLICE DEPARTMENT TO COMPLETE ITS INVESTIGATION AND KEEP THE BOARD ADVISED. IT IS POSSIBLE FOR A REGULATORY ACTION TO BE TAKEN IF IT IS REPORTED. IF NO REPORT IS MADE TO THIS BOARD, THERE IS NOTHING THE BOARD CAN DO.

IF THERE IS A CRIMINAL CONVICTION, THIS BOARD HAS JURISDICTION OVER THE LICENSEE AND CAN ACT WITH A DISCIPLINARY ACTION.

MARY ELLEN WILKINSON MADE THE MOTION TO CHECK FOR A CHANGE IN THE LEGAL LANGUAGE: "IF THERE IS AN ONGOING INVESTIGATION, THE LICENSE IS NOT ALLOWED TO EXPIRE UNTIL COMPLETION OF THE INVESTIGATION AND ITS OUTCOME". ARNOLD GREENHOUSE SECONDED THE MOTION. THE MOTION WAS CARRIED UNANIMOUSLY.

6.\*\* D. NAB JOB ANALYSIS – EXECUTIVE SUMMARY – DONNA ROSE:

MS. ROSE GAVE A BRIEF SUMMARY OF THE JOB ANALYSIS PREPARED BY NAB, AS IS DONE EVERY 5 TO 7 YEARS, TO AMEND THE REQUIREMENTS FOR THE NURSING HOME ADMINISTRATOR APPLICANTS. EXAM. SPECIFICALLY, THE 5 DOMAINS OF PRACTICE HAVE BEEN CHANGED TO REFLECT WHAT THE MODERN JOB ENTAILS:

RESIDENT CARE AND QUALITY OF LIFE – 1% INCREASE FROM 34% TO 35%;  
HUMAN RESOURCES – DECREASE FROM 23% TO 15%;  
FINANCE – DECREASE 16% TO 14%;  
PHYSICAL ENVIRONMENT AND ATMOSPHERE – NO CHANGE -13%;  
LEADERSHIP AND MANAGEMENT – INCREASE 14% TO 23%.

THE EXAM QUESTIONS WILL BE AMENDED TO REFLECT THE CHANGES.

7.\*\* DEPUTY ATTORNEY GENERAL COMMENTS:

THERE WERE NO SPECIAL COMMENTS.

8. CORRESPONDENCE:

A. AUDIT REPORTS – FRANKIE SUE DEL PAPA:

THE LETTER WAS SENT STATEWIDE TO ALL AGENCIES AND BOARDS TO ENFORCE THE NEED FOR ANNUAL AUDITS.

9. PUBLIC COMMENTS:

THERE WERE NO PUBLIC COMMENTS. MARGARET MCCONNELL THANKED THE GUESTS FOR COMING AND PARTICIPATING IN THE MEETING.

10.\*\* DATE/TIME/LOCATION – NEXT QUARTERLY MEETING:

AFTER ALL OF THE BOARD MEMBERS CONSULTED THEIR CALENDARS, THURSDAY, NOVEMBER 14, 2002, WAS DECIDED UPON FOR THE NEXT BOARD MEETING, AT 10:00 AM AT THE GRANT SAWYER BUILDING IN LAS VEGAS.

10. ADJOURNMENT:

THERE WAS NO FURTHER BUSINESS TO DISCUSS, AND THE MEETING WAS ADJOURNED AT 11:50 AM.

RESPECTFULLY SUBMITTED:

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TERRY PEDROTTI, EXECUTIVE SECRETARY

ATTESTED:

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DONNA J. ROSE, SECRETARY/TREASURER